

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.818 OF 2006

Nagender Arjun Mishra

...Petitioner.

V/s

State of Maharashtra

..Respondents.

Mr. Indrajeet Kulkarni for the applicant.

Ms. M.M. Deshmukh, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 8th March, 2006

P.C.:

1. Heard the learned Counsel for the Petitioner and
the learned APP for the State.

2. The Petitioner is arrested in connection with C.R.
No. I-209 of 2005 registered with Kalamoli Police
Station, Navi Mumbai for the offence punishable under
section 395 of the Indian Penal Code. Charge-sheet
has been filed.

3. It is the case of the prosecution that the
petitioner alongwith others committed dacoity on the
high-way and removed steel rods from the truck of the
complainant. There is sufficient material on record
to indicate that the recovery has been made at the
instance of the petitioner and the steel rods which

:2:

were stolen had been recovered and had been identified by the complainant. Further, there has been recovery of the other articles from the house of the petitioner. Therefore, this is not a fit case for grant of bail. The application for bail is, therefore, rejected. Trial is expedited. If the trial is not over within a reasonable period of time, liberty to the applicant to apply again for bail.

4. Application is accordingly disposed of.

V.M. KANADE, J.